

Appl. No. 10/710,581
Amdt. dated June 3, 2005
Reply to Office action of May 4, 2005

REMARKS/ARGUMENTS

1. Election/Restriction

- 5 The application contains claims directed to the following patentably distinct species of the claimed invention:

10 Species I claims: a method for pattern an HfO₂, which comprises a trench, a STI formed in the trench, a gate electrode with spacers, and using a bromine rich gas plasma to remove a portion of the HfO₂. It appears the species read upon claims 1-17;

15 Species II claims: a method for etching an HfO₂, which comprises performing a nitrogen ion bombardment to convert HfO₂ to Hf₃N₄ layer, and acid phosphoric to remove the Hf₃N₄ layer. It appears the species read upon claims 18-28.

20 Applicant is required under 35 U.S.C.121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

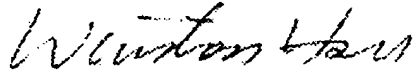
Response:

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Applicant hereby elects group I invention in response to the above restriction requirement. The claims readable upon the elected group are claims 1-17. Claims 18-28 are withdrawn from consideration in the instant application. No new claims are added.

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Sincerely yours,



Date: June 3, 2005

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